

PATENT
Docket No. 15916-277

Applicant: Jenkins et al.

Serial No.: 09/730,010

Filing Date: December 4, 2000

Title: Loop Structure Including
Inflatable Therapeutic Device

Group Art Unit: 3772

Examiner: Nguyen

OK to enter
C.T. Nguyen, Examiner
5/15/2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop AF

**REQUEST FOR WITHDRAWAL OF THE FINALITY OF THE OFFICE ACTION
DATED APRIL 17, 2008, ISSUANCE OF A CORRECTED OFFICE ACTION, AND
RESTARTING OF THE REPLY PERIOD UNDER MPEP §§ 706.07(A) AND 710.06**

Sir:

Claims 14-17, 21-30 and 37-39 are pending in the present application. This Request concerns the finality of the April 17, 2008 Office Action and, in particular, the finality of the rejection of claims 14-16 and 28. As such, claims 14-16 and 28 are the only claims discussed below.

Claims 14-16 and 28 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,076,012 to Swanson ("the Swanson '012 patent") in the November 15, 2007 Office Action. Claims 14-16 and 28 were **not** rejected under 35 U.S.C. § 112 in the November 15, 2007 Office Action.

Applicant did not amend claims 14-16 and 28 in response to the November 15, 2007 Office Action and, instead, argued that claims 14-16 and 28 were patentable over the teachings of the Swanson '012 patent. [January 16, 2008 Amendment at pages 7-8.]